

An. Code, sec. 367. 1904, sec. 332. 1888, sec. 232. 1884, ch. 360.

303. The provisions of the preceding sections, 293 to 302, both inclusive, in relation to telegraph companies, shall likewise apply to and have full force and effect in respect to telephone companies created under the provisions of this article.

A telegraph company organized prior to the act of 1884, ch. 360, was, and is, fully authorized to do a telephone business, and is subject to the provisions of the general incorporation laws applying to telegraph companies. *Chesapeake, etc., Telephone Co. v. Baltimore, etc., Telegraph Co.*, 66 Md. 410.

See notes to secs. 293 and 295.

An. Code, sec. 368. 1904, sec. 333. 1892, ch. 387, sec. 232A.

304. No individual company or corporation, now or hereafter owning, controlling, managing or operating any telephone line or lines within the limits of any city, town or village in the State of Maryland, shall charge, collect or receive, as rental for the use at any and all hours of the day and night, of such telephone and lines connecting with a central exchange, or point of communication through which conversation may be held, over all other lines connecting with such exchange, or point of communication, in such city or town, any sum exceeding six dollars and fifty cents per month, when one telephone only is rented by one individual, company or corporation, located within a radius of two miles from the central exchange, and one dollar additional per month for every additional mile distant from said exchange; where two or more telephones are rented by the same individual, company or corporation, located within a radius of two miles from the central exchange, the rental per month for each telephone so rented shall not exceed five dollars and fifty cents per month, and one dollar per month for every additional mile distant from said exchange; provided, that the individual, company or corporation desiring to use such telephone and lines shall agree to contract for the use of such telephone and lines for a period of not less than six months.

When the public service commission has prescribed rates in pursuance of the authority vested in it by sec. 346, *et seq.*, secs. 304 to 309 are to that extent repealed—see secs. 387 and 399. See notes to sec. 346. *Gregg v. Public Service Commission*, 121 Md. 26; *Chenoweth v. Public Service Commission*, 143 Md. 627.

For a case involving validity of municipal ordinance granting telephone company the right to use city streets provided it would furnish telephone service at certain rates; effect of acceptance of the ordinance by telephone company; the kind of telephone service required to be furnished; and remedy in case of a failure on part of telephone company to maintain prescribed rates, see *Simons Co. v. Maryland Telephone Co.*, 99 Md. 141. And see *Maryland Telephone Co. v. Simons Co.*, 103 Md. 139.

See sec. 400.

An. Code, sec. 369. 1904, sec. 334. 1892, ch. 387. 1896, ch. 139, sec. 232B.

305. Where any two cities, towns or villages in the State of Maryland are connected by wire, operated, managed, controlled or owned by any individual, company or corporation, the price for the use of any telephone for the purpose of conversation between such cities, towns or villages, shall, for each five minutes or fraction of five minutes of such use, not exceed the amount hereby fixed, that is to say: where the distance does not exceed ten miles, fifteen cents; where the distance is more than ten miles and not more than thirty miles, twenty-five cents; where the distance is more than